



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,963	07/10/2001	Claudine Guerin-Marchand	1010830-000118	8667
21839	7590	02/15/2007	EXAMINER	
BUCHANAN, INGERSOLL & ROONEY PC			LUCAS, ZACHARIAH	
POST OFFICE BOX 1404			ART UNIT	PAPER NUMBER
ALEXANDRIA, VA 22313-1404			1648	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
30 DAYS		02/15/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Notice of Non-Compliant Amendment (37 CFR 1.121)</b>	Application No.	Applicant(s)	
	09/900,963	GUERIN-MARCHAND ET AL.	
	Examiner Zachariah Lucas	Art Unit 1648	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 16 January 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

**THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:**

- 1. Amendments to the specification:
  - A. Amended paragraph(s) do not include markings.
  - B. New paragraph(s) should not be underlined.
  - C. Other See Continuation Sheet.
- 2. Abstract:
  - A. Not presented on a separate sheet. 37 CFR 1.72.
  - B. Other \_\_\_\_\_.
- 3. Amendments to the drawings:
  - A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - C. Other See Continuation Sheet.
- 4. Amendments to the claims:
  - A. A complete listing of all of the claims is not present.
  - B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - D. The claims of this amendment paper have not been presented in ascending numerical order.
  - E. Other: See Continuation Sheet.
- 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):
  - See Continuation Sheet

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) **only** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable

Telephone No.

Continuation of 1(c) Other: The substitute specification again does not show the changes being made relative to the immediate prior version of the specification. It shows amendments that were previously made as current amendments. For example, in the paragraph spanning pages 5-6 of the substitute specification, the marked up version 1) shows the term *P. falciparum* as underlined instead of italicized, and 2) indicates that the sequence identification numbers are being newly added although they were already added to the text in the amendment of December 7, 2005. The previously made amendments should not be marked in the re-submitted substitute specification. Only new amendments should be shown in the marked up copy of the substitute specification.

Continuation of 3(c) Other: As with the specification, the changes made to the drawings should be shown relative to the immediately prior version of the drawings. In the present case, Applicant is showing changes relative to the drawings as originally filed. For example, the indicated amendment of Figure 1 was already made in the amendment of December 7, 2005.

Continuation of 4(e) Other: The claims do not show the changes being made relative to the immediate prior version of the claims. For example, in claim 31, the amendment indicates that the sequence identification number is being newly added. However, relative to the immediate prior version of the claim (submitted September 2006), the changes being made are the changes to the preamble, the deletion of reference to the Figure, and deletion of the parenthesis around the sequence identifier that was added in the prior amendment. The changes made to the claims should be relative to the immediate prior versions of the claims (i.e. including the prior amendments), and not relative to the originally filed version of the claim.

Continuation of 5 Other: The substitute specification of January 16, 2007 has not been entered as it does not comply with 37 CFR 1.121.

A handwritten signature consisting of a stylized 'Z' and a '2'.